

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

JAMES STUART and BETTY STUART,)	CV-08-12-BU-RFC
)	
Plaintiff,)	
)	ORDER
vs.)	
)	
THE CITY OF DILLON, BEAVERHEAD)	
COUNTY, Officer KEN BREEN, GLORIA)	
ANN GOLIMOWSKI, Officer FRANK)	
KLUESNER, Officer ED JONES, and Does)	
1 to 60, Inclusive, Political Subdivisions of the)	
STATE OF MONTANA, and Individuals,)	
)	
Defendants.)	
)	

Magistrate Judge Jeremiah C. Lynch issued his Findings and Recommendations on June 12, 2008, granting Defendant Beaverhead County's Motion to Dismiss [Doc. #5] for failure to state a claim upon which relief can be granted, pursuant to F.R.Civ.P. 12(b)(6). On June 18, 2008, the Plaintiffs filed a Motion to Dismiss Defendant Beaverhead County.

IT IS HEREBY ORDERED that this Court adopts the Findings and Recommendations of Judge Lynch, and the above-entitled cause is dismissed with prejudice as to Defendant Beaverhead County.

DATED this 19th Day of June, 2008.

/s/ Richard F. Cebull
RICHARD F. CEBULL
U. S. DISTRICT JUDGE